

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	: CIVIL ACTION
	:	
v.	:	: NO. 22-5055
	:	
INHANCE TECHNOLOGIES, LLC	:	

ORDER

AND NOW, this 14th day of December 2023, upon considering the arguments made by the parties at today's case management conference (DI 70), and the briefing we ordered (DI 74, 75, 76) in response to the notices filed by the United States and Inhance regarding the EPA's December 1, 2023 orders (DI 68, 69), it is **ORDERED**:

1. The United States' motion for leave to file a sur-reply in opposition to Inhance's motion to dismiss (DI 29) is **GRANTED**.

2. The United States' motion for partial summary judgment on liability (DI 37) is **DENIED** as withdrawn by the United States.¹

3. The United States' motion for leave to file a post-hearing brief (DI 58) is **GRANTED**.

4. Intervenor's motion for leave to file a post-hearing brief (DI 62) is **GRANTED**.

5. Intervenor's motion for leave to file a supplemental brief in response to our December 4, 2023 order (DI 78) is **GRANTED**.

¹ For several reasons, not the least of which is that the United States elected to withdraw this motion, the United States has leave to file another summary judgment motion at an appropriate time in this case. *See* Policies & Procedures ¶ 9 ("Absent leave, a party is entitled to file only one single Rule 56 motion (typically at the time designated in the scheduling order) that addresses whatever issues the party wishes to raise within the page or word limit.").

6. We remind the parties to keep us informed of any significant developments.


MURPHY, J.